

14 CV 0190

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORKJimmy Ribot

(In the space above enter the full name(s) of the plaintiff(s).)

COMPLAINT

-against-

New York City Police Dept.Jury Trial: ☒ Yes ☐ No
(check one)John Doe #1 Detective
Robbery Squad 7th precinct.John Doe #2 Detective
Robbery Squad 7th precinct

(In the space above enter the full name(s) of the defendant(s). If you cannot fit the names of all of the defendants in the space provided, please write "see attached" in the space above and attach an additional sheet of paper with the full list of names. The names listed in the above caption must be identical to those contained in Part I. Addresses should not be included here.)

I. Parties in this complaint:

- A. List your name, address and telephone number. If you are presently in custody, include your identification number and the name and address of your current place of confinement. Do the same for any additional plaintiffs named. Attach additional sheets of paper as necessary.

Plaintiff

Name Jimmy Ribot - 3491317490- AMKC C-95
 Street Address 18-48 HAZEN Street
 County, City EAST AMHURST, New York
 State & Zip Code 11370
 Telephone Number 212-964-3501 (Home number)

- B. List all defendants. You should state the full name of the defendant, even if that defendant is a government agency, an organization, a corporation, or an individual. Include the address where each defendant may be served. Make sure that the defendant(s) listed below are identical to those contained in the above caption. Attach additional sheets of paper as necessary.

Defendant No. 1

Name New York City Police Department
 Street Address 19 1/2 PIH Street

JAN 2 2014
 PROSECUTOR

County, City New York, NY
 State & Zip Code 10002
 Telephone Number 212-477-7311

Defendant No. 2 Name John Doe #1 Detective Robbery squad
 Street Address 19 1/2 Pitt Street
 County, City New York, NY
 State & Zip Code 10002
 Telephone Number 212-477-7311

Defendant No. 3 Name John Doe #2 Detective Robbery
 Street Address Squad, 19 1/2 Pitt Street
 County, City New York NY 10002
 State & Zip Code _____
 Telephone Number 212-477-7311

Defendant No. 4 Name _____
 Street Address _____
 County, City _____
 State & Zip Code _____
 Telephone Number _____

II. Basis for Jurisdiction:

Federal courts are courts of limited jurisdiction. Only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case involving the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one state sues a citizen of another state and the amount in damages is more than \$75,000 is a diversity of citizenship case.

A. What is the basis for federal court jurisdiction? (check all that apply)

☒ Federal Questions

☐ Diversity of Citizenship

B. If the basis for jurisdiction is Federal Question, what federal Constitutional, statutory or treaty right is at issue? Civil Rights violation

C. If the basis for jurisdiction is Diversity of Citizenship, what is the state of citizenship of each party?

Plaintiff(s) state(s) of citizenship _____

Defendant(s) state(s) of citizenship _____

III. Statement of Claim:

State as briefly as possible the facts of your case. Describe how each of the defendants named in the caption of this complaint is involved in this action, along with the dates and locations of all relevant events.

You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Attach additional sheets of paper as necessary.

A. Where did the events giving rise to your claim(s) occur? 19 1/2 Pth Street -
New York N.Y. 10002 7th Precinct

B. What date and approximate time did the events giving rise to your claim(s) occur? February 27th 2013
Approximately 10:30 am

C. Facts: On February 27th 2013, I Jimmy Rihot was
taken into custody, Detained by Detectives of the 7th
precinct for questioning on an Attempted Robbery.
I was shown a video of a Robbery in progress and
told I was Identified as the perpetrator of the
crime.

What
happened
to you?

Who did
what?

Was anyone
else
involved?

Detective John Doe #1 7th Precinct Robbery Squad and Detective
John Doe #2 7th Precinct, Both claimed there was an eye
witness to the crime and that plaintiff should
confess.

Both Detectives Claimed that there was another person
who was involved in committing to crime and that
Plaintiff should ID such person.

Who else
saw what
happened?

Supervisor of Robbery Squad 7th Precinct and several
John Does of the same Robbery Squad.

IV. Injuries: As State Behavall claims proved to be false.

If you sustained injuries related to the events alleged above, describe them and state what medical treatment, if any, you required and received.

Plaintiff suffered trauma, Mental Anguish
pain and suffering, Because of the events
that transpired on February 27, 2013
After being unlawfully Detained, falsely ARRESTED,
imprisoned, and Right to Freedom Violated,
plaintiff suffered Fear and panic Attacks
and had to be medicated and hospitalized
at Beth Israel medical Center.

At this time Plaintiff Responded to the Charges by claiming his innocence and demanding his release. Both Detectives John Doe^{#1} and 2 refused to released Plaintiff and Instead ARRESTED and charged Plaintiff with Robbery / Reckless endangerment.

Plaintiff was then escorted to Central Booking After and Interview with the Manhattan DA the decision was made ~~in~~ by the District Attorney that a line-up ~~photo~~ had to be conducted.

On the morning of February 28th 2013 Plaintiff sat in a line up which resulted in Plaintiff's not being positively Identified as the person who committed the crime.

Plaintiff was not released, Instead Plaintiff was Charged and Jailed. Finally after spending seven days incarcerated, No complaining witness, No Indictment Plaintiff was released.

On October 18, 2013 Plaintiff appeared to scheduled court date, and was informed by court clerk that Plaintiff's case had been dismissed three weeks prior, in September.

V. Relief:

State what you want the Court to do for you and the amount of monetary compensation, if any, you are seeking, and the basis for such compensation.

Plaintiff seeks from the courts monetary damages and compensation in the amount of \$500,000.00 dollars.

The Bases for such compensation include Plaintiff's pain and suffering, mental anguish, false arrest, false imprisonment and violation to right to freedom, and otherwise suffering from extreme emotional distress, loss of sleep and appetite. New York City Police Department and its detectives grossly violated Plaintiff's civil rights by arresting and detaining Plaintiff after a non positive I.D. by complaining witness, shows gross negligence.

I declare under penalty of perjury that the foregoing is true and correct.

Signed this 24 day of December, 2013

Signature of Plaintiff

Mailing Address

Telephone Number

Fax Number (if you have one)

Jimmy Ribat
250 Clinton Street
New York, N.Y.
10002
212-964-3501

Note: All plaintiffs named in the caption of the complaint must date and sign the complaint. Prisoners must also provide their inmate numbers, present place of confinement, and address.

For Prisoners:

I declare under penalty of perjury that on this 24 day of December, 2013, I am delivering this complaint to prison authorities to be mailed to the Pro Se Office of the United States District Court for the Southern District of New York.

Signature of Plaintiff:

Inmate Number

Jimmy Ribat
3491317490

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Jimmy Ribot

(In the space above enter the full name(s) of the plaintiff(s)/petitioner(s).)

____ Civ. ____ () ()

- against -

AFFIRMATION OF SERVICE

New York City Police Department
John Doe #1 - Detective Robbery Squad
not present.
John Doe #2 - Detective Robbery Squad not present

(In the space above enter the full name(s) of the defendant(s)/respondent(s).)

I, _____, declare under penalty of perjury that I have
(name)

served a copy of the attached _____
(document you are serving)

upon _____ whose address is _____
(name of person served)

(where you served document)

by _____
(how you served document: For example - personal delivery, mail, overnight express, etc.)

Dated: _____, _____
(town/city) (state)
_____, 20____
(month) (day) (year)

Signature

Address

City, State

Zip Code

Telephone Number